

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ERNEST JETER,

Plaintiff,

- against -

NEW YORK CITY DEPARTMENT OF EDUCATION
OF THE CITY OF NEW YORK, NEW YORK CITY
DEPARTMENT OF INVESTIGATION OF THE CITY
OF NEW YORK, and THE OFFICE OF SPECIAL
COMMISSIONER OF INVESTIGATION FOR NEW
YORK CITY SCHOOL DISTRICT OF THE CITY OF
NEW YORK, *et al.*,

Defendants.
-----X

NOTICE OF MOTION

Docket No. 06 Civ. 3687
(DGT)(LB)

PLEASE TAKE NOTICE that, upon the annexed declaration of Daniel Chiu, dated January 26, 2007, with exhibits annexed thereto, the Memorandum of Law in Support of Defendants' Motion to Dismiss and upon all the prior proceedings had herein, defendants New York City Department of Education ("DOE") (incorrectly sued herein as New York City Department of Education of the City of New York, New York City Department of Investigation ("DOI") (incorrectly sued herein as New York City Department of Investigation of the City of New York, and the Special Commissioner of Investigation for the New York City School District ("SCI") (incorrectly sued herein as the Office of Special Commissioner of Investigation for New York City School District of the City of New York) (collectively, "Defendants"), by their attorney, Michael A. Cardozo, Corporation Counsel of the City of New York, will move this Court, before the Honorable David G. Trager, United States District Court Judge for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, on such day when counsel may be heard for an order pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil

Procedure for judgment in defendants' favor dismissing all claims of plaintiff and for such other and further relief as to the Court seems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's Order, dated January 18, 2007, answering papers, if any, are to be served on or before March 5, 2007.

Dated: New York, New York
January 26, 2007

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants
100 Church Street, Room 2-170
New York, New York 10007
212-788-1158

By: 

Daniel Chiu (DC-3381)
Assistant Corporation Counsel

To: Ernest Jeter, *pro se*
124-21 Flatlands Avenue, Apt. 1-J
Brooklyn, New York 11208
718-498-6437

CERTIFICATION OF SERVICE

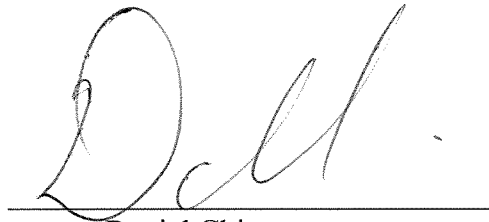
I, Daniel Chiu, hereby certify that:

On January 26, 2007, I served the annexed Notice of Motion by depositing a true and correct copy, into the custody of United States Postal Service, in an enclosed envelope with sufficient postage for first-class mail addressed to:

Ernest Jeter, *pro se*
124-21 Flatlands Avenue, Apt. 1-J
Brooklyn, New York 11208

I certify under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
January 26, 2007



Daniel Chiu